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EXAMINER
HOLLIDAY, JAIME MICHELE

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2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/672,902	CASPI ET AL.	
	Examiner	Art Unit	
	JAIME M. HOLLIDAY	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 February 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

Applicant's arguments filed February 25, 2008 have been fully considered but they are not persuasive.

Applicants basically argue that Watanabe et al. fail to provide “a positioning server receiving positioning information from a positioning controller,” and that “position information… received at the positioning server responsive to periodic expirations of a watchdog timer.” Further, Applicants argue that Watanabe et al. do not provide “presence indicia.”

Examiner respectfully disagrees, because Watanabe et al. teach that the mobile terminal (client includes positioning controller) sends a location registration request signal to the base station (positioning server) which includes status information. The status information includes the speed of the mobile terminal (position information). Although the base station and the location information management node may actually determine the location area, the status (i.e. speed) is used for determining the location (paragraph 10). The claim as currently cited reads "position information." Therefore, the current speed of the terminal reflects its position, although moving. Also, once the status information is transmitted to the base station with the location request signal (presence indicia; paragraph 10) and forwarded to the location management node, a periodic location registration timer value is set. This value is transmitted to the management node and to the mobile terminal. The periodic location registration timer is activated, and upon expiration, another location request signal is transmitted with the

mobile terminal status (position information… received at the positioning server responsive to periodic expirations of a watchdog timer).

Applicants argue that Stewart fails to disclose the claimed limitations, and in particular, Stewart does not activate a timer in response to registration or presence indicia. Further, Applicants argue that none of the secondary references teach "activating a periodic timer upon device registration or for determining when position information is to be received."

Examiner contends that Stewart is used to overcome the limitation "timer for determining when said position information is to be received (centralized base station is capable of waiting a preselected time from receipt of location request signal). The Watanabe reference is incorporated to overcome the limitations of "periodic timer" and "timer initialized responsive to receiving indicia of a presence." The secondary references are used to overcome secondary and depending limitations.

Since Stewart and Watanabe et al. clearly show the claimed limitations as discussed above, Examiner maintains previous rejections.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. **Claims 19-21** are rejected under 35 U.S.C. 102(a) as being anticipated by **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**.

Consider **claims 19-21**, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit **1c**. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location

area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed “A telecommunications system, comprising: a plurality of network clients including a positioning controller and a communications controller; and a positioning server configured to receive position information from said positioning

controller, wherein position information is received at the positioning server responsive to periodic expirations of a watchdog timer, the watchdog timer initialized responsive to receiving indicia of a presence of associated ones of the plurality of network clients; positioning server includes said watchdog timer; plurality of network clients includes said watchdog timer," (paragraph 36).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claims 1-3, 7-9, 14 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**.

Consider **claim 1**, Stewart clearly shows and discloses a telephone system, reading on the claimed "telecommunications system," comprising: a plurality of first telephones and a remote portable telephone including a position locator and a telephone exchange **16**, reading on the claimed "plurality of network clients including a positioning controller and a communications controller," (column 2, lines 25-32), and a centralized base station **17** with a transceiver for receiving location signals from a portable telephone that includes the position locator, reading on the claimed "positioning server configured to receive position information from said positioning controller," (column 2, lines 53-55); wherein centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "positioning server includes a timer for determining when said position information is to be received from associated ones of said plurality of network clients," (column 4, lines 53-65).

However, Stewart fails to disclose that the system uses a periodic timer.

In the same field of endeavor, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit **1c**. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By

performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile

terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed "positioning server includes a periodic timer for determining when said position information is to be received from associated ones of said plurality of network clients responsive to receiving indicia of a presence of said associated ones such that said position information is received responsive to periodic expirations of the timer," (paragraph 36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a periodic timer to update location information as taught by Watanabe et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 2**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 1 above**, and in addition, Stewart further discloses that the telephone system comprises a portable phone with a position locator, such as a GPS locator, thus making the locator capable of

receiving of global positioning network signals for determining position, reading on the claimed "positioning controller receives global positioning network signals for determining a position of an associated network client," (column 1, lines 50-54).

Consider **claim 3**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 2 above**, and in addition, Stewart further discloses that the first telephones and the remote portable telephone could have cableless connections such as radio or satellite connections. The first telephone could also be a portable telephone, thus making the telephone exchange a cellular network system, reading on the claimed "communications controller comprises a cellular network controller for transmitting on a cellular telephone network to said server," (column 4, lines 18 –25).

Consider **claim 7**, Stewart clearly shows and discloses a portable telephone, reading on the claimed "telecommunications device," comprising: a position locator, which can determine location of the portable phone and generate a corresponding location signal, reading on the claimed "positioning controller adapted to determine positioning information for said telecommunications device," (column 2, lines 1-4), and a transceiver, reading on the claimed **46** "wireless data controller," connected to the antenna of the portable telephone, receives location signals from the GPS location detector **40**, and the transmits signal to the centralized base station, from which the location request code was received **216** (column 5, lines 21-23; column 6, line 1; column 7, lines 51-60, figure 2). If the location request code requests location reports at predetermined time intervals, the processor **32** checks the timer and waits

for predetermined time interval to elapse, then location from detector is transmitted to base station, reading on the claimed "wireless data controller adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an associated server at predetermined intervals," (column 7, lines 65-67; column 8, lines 1-8).

However, Stewart fails to disclose that the system uses a periodic timer.

In the same field of endeavor, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit **1c**. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration

timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed “wireless data

controller adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an associated server at predetermined periodic intervals responsive to an activation with the associated server and upon expiration of a watchdog timer that begins a first count upon said activation," (paragraph 36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a periodic timer to update location information as taught by Watanabe et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 8**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 7 above**, and in addition, Stewart further discloses that the portable telephone has a position locator such as a GPS receiver, reading on the claimed "positioning controller receives Global Positioning System (GPS) signals to determine said positioning information," (column 1, lines 50-53; figure 2).

Consider **claim 9**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 7 above**, and in addition, Stewart further discloses a portable telephone has a transceiver, connected to the antenna of the portable telephone, receives location signals from the GPS location detector, and the transmits signal to the centralized base station, reading on the claimed "wireless data controller is adapted to receive requests from said server to

provide positioning information-related updates to said server," (column 5, lines 21-23; column 6, line 1; column 7, lines 51-60, figure 2).

Consider **claim 14** Stewart clearly shows and discloses a method of communicating with a portable telephone, reading on the claimed "telecommunications method," comprising (column 3, lines 1-4): directing a location request signal to a position locator on the portable telephone, which can determine the location of the portable telephone and generate a corresponding location signal, reading on the claimed "receiving one or more positioning signals at a wireless device," (column 3, lines 30-35); and transmitting the location signal from the portable device to the centralized base station, wherein centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "transmitting position updates from said wireless device via a wireless data network to a server, said server including a timer for determining when said position updates are to be received from said wireless device," (column 3, lines 35-37; column 4, lines 53-65; figure 4B).

However, Stewart fails to disclose that the system uses a periodic timer.

In the same field of endeavor, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit **1c**. Upon receiving

advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response

to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed transmitting position updates from said wireless device via a wireless data network to a server, said server including a periodic timer for determining when said position updates are to be received from said wireless device, said timer being activated responsive to a registration of said associated ones with said server, wherein said position updates are to be received upon periodic expirations of the timer," (paragraph 36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a periodic timer to update location information as taught by Watanabe et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 15**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 14 above**, and in addition, Stewart further discloses a portable telephone with a position locator such as a GPS receiver. The GPS location detector uses signals from any series of positioning satellites to ascertain the geographical location of the portable telephone, reading on the claimed "receiving one or more positioning signals comprises receiving one or more signals from a global positioning network," (column 1, lines 51-52; column 6, lines 4-7).

5. **Claims 4-6 and 16-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**, and in further view of **Verdonk (U.S. Patent # 6,330,454 B1)**.

Consider **claim 4**, and **as applied to claim 1 above**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention except that the centralized base station queries the plurality of first telephones and portable telephone for a location request or location signal in the preselected time.

In the same field of endeavor, Verdonk discloses a system for locating mobile units, reading on the claimed "network clients," operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server **140** sends a location determination request to the

Service Control Point (SCP) **142**. The SCP receives the location determination request, and sends it to the home location register (HLR) **110**. The HLR determines the Mobile Switching Center (MSC) **102** serving the mobile unit, and sends a route request to the serving MSC. The serving MSC receives the route request and accesses its visitor location register (VLR) **108**, or sends a page to the mobile unit, reading on the claimed "server sends one or more queries to an associated network client if a predetermined status message has not been received within a predetermined period as determined upon expiration said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications system to query a mobile device as taught by Verdonk in the system of Stewart, as modified by Watanabe et al., in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 5**, the combination of Stewart and Watanabe et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 4 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 6**, the combination of Stewart and Watanabe et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 4 above**, and in addition, Verdonk discloses the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41). With the location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications system queries a mobile device as taught by Verdonk in the system of Stewart, as modified by Watanabe et al., in order to receive location-related information on the mobile unit or portable telephone.

Consider **claim 16**, and **as applied to claim 14 above**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention except that the centralized base station is adapted to query the portable telephone for a location request or location signal in the preselected time.

In the same field of endeavor, Verdonk discloses a method for locating mobile units operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server sends a location

determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit, reading on the claimed "server is adapted to query said wireless device if a predetermined status message has not been received within a predetermined period determined upon expiration said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications method to query a mobile device as taught by Verdonk in the system of Stewart, as modified by Watanabe et al., in order to provide the server with updated information the portable telephone.

Consider **claim 17**, the combination of Stewart and Watanabe et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 16 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 18**, the combination of Stewart and Watanabe et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 16 above**, and in addition, Verdonk discloses the customer

server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41). With the location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications method to query a mobile device as taught by Verdonk in the system of Stewart, as modified by Watanabe et al., in order to receive location-related information on the portable telephone.

6. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **McDowell et al. (Pub # US 2002/0035605 A1)**, and in further view **Watanabe et al. (Pub # U.S. 2003/0013444 A1).**

Consider **claim 10**, Stewart clearly shows and discloses a centralized base station, reading on the claimed "telecommunications server," with a transceiver, wherein the centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "telecommunications server including a

timer for determining when location information is to be received from associated ones of plurality of users," (column 2, line 53; column 4, lines 53-65).

However, Stewart does not disclose that the centralized base station includes a presence control unit and a location control unit.

In the same field of endeavor, McDowell et al. clearly show and disclose a computing platform, reading on the claimed "telecommunications server," that facilitates communications for wireless subscribers of a wireless network, comprising: a presence module that maintains data concerning network presence of the wireless subscribers, reading on the claimed "presence control unit adapted to receive and maintain presence information for a plurality of users," and a location proxy module that maintains location data concerning physical location of the wireless subscribers, reading on the claimed "location control unit adapted to receive and maintain location information for said plurality of users, said location information correlated with said presence information," (paragraph 0034).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a computing platform with a presence module, as well as a location proxy module as taught by McDowell et al. in view of Stewart, in order to receive and maintain presence and location information in a centralized base station.

However, Stewart fails to disclose that the system uses a periodic timer.

In the same field of endeavor, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit **1c**. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration

request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed "server includes a timer for determining when said location information is to be received from associated ones of said plurality of users, said periodic timer being activated responsive to a registration of said associated ones with said telecommunications server, such that said location information is received upon periodic expirations of the timer," (paragraph 36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a periodic timer to update location information as taught by Watanabe et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

7. **Claims 11, 12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of **Stewart (U.S. Patent # 6,643,516 B1)** and **McDowell et al. (Pub # US 2002/0035605 A1)**, in view of **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**, and in further view of **Verdonk (U.S. Patent # 6,330,454 B1)**.

Consider **claim 11**, and **as applied to claim 10 above**, the combination of Stewart and McDowell et al., as modified by Watanabe et al., clearly show and disclose the claimed invention except that the location control unit queries an associated one of the plurality of users.

In the same field of endeavor, Verdonk discloses a system and method for locating mobile units operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit, reading on the claimed “location control unit is adapted to query an associated one of said plurality of users if a predetermined status message has not been

received within a predetermined period determined by said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications system to query a mobile device as taught by Verdonk in the combination of Stewart and McDowell et al., as modified by Watanabe et al., in order to provide the location proxy module within the server with updated information on the mobile unit or portable telephone.

Consider **claim 12**, the combination of Stewart, McDowell et al. and Watanabe et al., as modified by Verdonk, clearly show and disclose the claimed invention **as applied to claim 11 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 13**, the combination of Stewart, McDowell et al. and Watanabe et al., as modified by Verdonk, clearly show and disclose the claimed invention **as applied to claim 11 above**, and in addition, Verdonk discloses that the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

With the location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications system queries a mobile device as taught by Verdonk in the combination of Stewart and McDowell et al., as modified by Watanabe et al., in order to receive location-related information at the location proxy module on the mobile unit or portable telephone.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAIME M. HOLLIDAY whose telephone number is (571)272-8618. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, V. Paul Harper can be reached on (571) 272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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